

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: October 19, 2005

Division: County Administrator

Bulk Item: Yes X No     

Department: County Administrator

Staff Contact Person: Connie Cyr

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**AGENDA ITEM WORDING:** Approval of a Resolution Authorizing Acceptance of certain Key Largo, Marathon, Cudjoe Key, and Big Coppitt Key Properties from the Monroe County Comprehensive Plan Land Authority for Affordable Housing.

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**ITEM BACKGROUND:** The Land Authority has purchased the following affordable housing sites: Tract C, Blue Water Trailer Village Section 1 on Key Largo; and Lot 22, Puerta del Sol in Marathon; and Block 8, Lots 8-11, Cutthroat Harbor Estates on Cudjoe Key and is in the process of purchasing part of Tract B, Porpoise Point Section 5 on Big Coppitt Key.

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**PREVIOUS RELEVANT BOCC ACTION:** On September 28, 2005 the Board indicated its desire to have affordable housing land bank properties titled in the BOCC.

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**CONTRACT/AGREEMENT CHANGES:** N/A

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**STAFF RECOMMENDATIONS:** Approval

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**TOTAL COST:** N/A

**BUDGETED:** Yes      No     

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No      **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty x OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:** Thomas J Willi  
(TYPE NAME HERE)

**DOCUMENTATION:** Included x Not Required     

**DISPOSITION:**                                     

**AGENDA ITEM #**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA, AUTHORIZING THE  
ACCEPTANCE OF CERTAIN KEY LARGO, MARATHON, CUDJOE  
KEY, AND BIG COPPITT KEY PROPERTIES FROM THE MONROE  
COUNTY COMPREHENSIVE PLAN LAND AUTHORITY FOR  
AFFORDABLE HOUSING.**

**WHEREAS**, sections 125.01(1)j and 125.01055, Florida Statutes (FS) empower the Board of County Commissioners of Monroe County, Florida (hereinafter "BOCC") to take measures necessary to increase the supply of affordable housing; and

**WHEREAS**, section 125.35, FS empowers the BOCC to sell or lease real property to the highest and best bidder for the particular use the BOCC deems to be the highest and best or to adopt by ordinance alternative standards and procedures to sell or lease real property; and

**WHEREAS**, section 125.38, FS empowers the BOCC to sell or lease real property to government or not for profit organizations at a price of the BOCC's choosing; and

**WHEREAS**, based on the above enabling legislation, the BOCC desires to control and oversee the development of certain affordable housing sites acquired by the Monroe County Comprehensive Plan Land Authority; now, therefore,

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:**

1. The BOCC hereby agrees to accept title from the Monroe County Comprehensive Plan Land Authority for any and all of the following affordable housing sites:
  - a) Tract C, Blue Water Trailer Village Section 1 on Key Largo
  - b) Lot 22, Puerta del Sol in Marathon
  - c) Block 8, Lots 8-11, Cutthroat Harbor Estates on Cudjoe Key
  - d) Part of Tract B, Porpoise Point Section 5 on Big Coppitt Key
2. The BOCC hereby acknowledges that use of the above properties will be restricted to affordable housing as defined in the Florida Statutes and the deed(s) into the BOCC will contain the specific deed restrictions shown in Attachment A.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida, at a meeting of said Board held on the \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Mayor Spehar \_\_\_\_\_  
Mayor Pro Tem McCoy \_\_\_\_\_  
Commissioner Neugent \_\_\_\_\_  
Commissioner Rice \_\_\_\_\_  
Commissioner Nelson \_\_\_\_\_

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor/Chairman Dixie M. Spehar

MONROE COUNTY ATTORNEY

APPROVED AS TO FORM:

  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY  
Date: 10/04/05

## ATTACHMENT A

### AFFORDABILITY COVENANTS

1. Term. These affordability covenants are perpetual, run with the land, and are binding on all present and subsequent owners and mortgagees.
2. Property Use. Use of the property shall be restricted to affordable housing for persons of very low, low, or moderate income as defined in section 420.0004, Florida Statutes.
3. Monitoring. Grantee is responsible for ensuring compliance with the affordability covenants contained herein and expressly agrees to furnish, upon Grantor's request, written certification thereof.